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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,828	08/25/2003	Yoshihiro Masuda	116937	1341
25944 7590 12/08/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
TRAN, TUYETLENT				
ART UNIT		PAPER NUMBER		
2179				
MAIL DATE		DELIVERY MODE		
12/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,828

Applicant(s)

MASUDA, YOSHIHIRO

Examiner

TUYETLIEN T. TRAN

Art Unit

2179

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15, 16 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-16, 18-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 8/07/08.

This action is made non-final.

2. Claims 1-13, 15-16, 18-21 are pending in the case. Claims 1, 2, 11, 13, 15, 16, 18-21 are independent claims.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/07/08 has been entered.

Claim Objections

4. Claim 20 is objected to because of the typographical error: it is suggested that term "an activity is detected hat" should be changed to "an activity is detected that". Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, 5-8, 10, 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Schafer et al. (published article, "Virtual Storytelling of Cooperative activities in a Theatre of Work", pages 191-200, 2001; hereinafter Schafer).

As to claims 1 and 19, Schafer teaches:

A work space control apparatus and a method for controlling activities conducted by objects in a work space as history (e.g., Abstract and page 192), the apparatus comprising:

a detection device that detects an activity event conducted by each object in the work space including a single non-simulated real space (e.g., Fig. 2 and page 193; wherein a number of different activity sensor are used to capture and recognize user activities in a real environment);

an activity event control device that saves the activity event detected while relating the activity event detected to time for each object during which each object conducts the detected activity event (e.g., page 193 and page 196; wherein event and notification infrastructure – ENI- stores activity events and event data consist of producer of the event, artefact in use, data/time) and a non-simulated real place for each object where each object conducts the detected activity event (e.g., page 194; wherein information landscape represents the context in which the meeting has taken place); and

a display device that displays the saved activity event by displaying the respective object conducting the saved activity event (e.g., pages 193, 194);

wherein the objects in the work space include a person in the at least one non-simulated real space (e.g., pages 194, 196), and

the detection device at least detects an activity that is conducted by two or more objects in the single non-simulated real space (e.g., pages 194, 196).

As to claim 3, Schafer further teaches actual body acquiring means for acquiring actual body information of the object of the activity according to the activity event saved by the activity event control means (e.g., pages 193, 196; wherein activity sensors include movement and acoustic sensors to sense the presence of people in a room).

As to claim 5, Schafer teaches wherein the activity event display means displays an activity event by displaying objects arranged in a positional relation based on the degree of relation between the objects (e.g., Figs. 3a, 3b and pages 193, 194).

As to claim 6, Schafer further teaches a capture input means for capturing data of the activity conducted in the work space (e.g., page 197, 198), wherein the activity event control means controls the captured data corresponding to the activity event so as to supply captured data as a display output corresponding to the activity event (e.g., page 197).

As to claim 7, Schafer further teaches wherein the detection device detects a change in a set of the user objects in the activity event, and the activity event control device saves an activity as a different activity event each time the change is detected (e.g., pages 196, 197).

As to claim 8, Schafer further teaches an object access device that starts a predetermined processing motion responding to that the actual body acquiring device has made access to actual body information of an object (e.g., page 197).

As to claim 10, Schafer further teaches wherein the object includes a document used in the work space (e.g., page 196).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 2, 4, 9, 11-13, 15-16, 18, 20-21 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Schafer.**

As to claims 2, 13, 15, 16, 18, 20, 21, Schafer teaches:

A work space control apparatus and a method for controlling activities conducted by objects in a work space as history (e.g., Abstract), the apparatus comprising:

a detection device that detects an activity event conducted by each object in the work space including a single non-simulated real space (e.g., Fig. 2 and page 193; wherein a number of different activity sensor are used to capture and recognize user activities in a real environment);

an activity event control device that saves the detected activity event, which is conducted by each object, in association with each object (e.g., pages 193, 194, 196, 197; wherein event and notification infrastructure – ENI- stores activity events and event data consist of producer of the event, artefact in use, data/time, performed operation); and

a display device that specifies objects conducting the respective saved activity events, and displays a symbol representing each activity event and symbols representing the specified objects which conduct each activity event (e.g., Figs. 3a, 3b, pages 193, 194),

wherein the objects in the work space include a person in the at least one non-simulated real space (e.g., pages 194, 196), and

the detection device at least detects an activity that is conducted by two or more objects in the single non-simulated real space (e.g., pages 194, 196).

Schafer teaches objects that conducts the detected activity event together can be retrieved to show past cooperative activities (e.g., Figs. 3a, 3b and pages 193, 194, 197; wherein objects that conduct the detected activity event together can be retrieved using attributes such as performed operation, data/time, event-type); therefore, Schafer inherently teaches the activity event control device saves a link to another object that conducts the detected activity event together, in association with each object. If not inherently included, it would have been obvious to one of ordinary skilled in the art, at the time the invention was made, to have implemented this feature because Schafer suggests to the skilled artisan that event data attributes can be easily extended for special application purposes since ENI does not require a special event format or registration of event schema. One would have been motivated to make such an implementation is to be able to display the interaction activities between objects.

As to claim 11, claim 11 is rejected under similar rationale given above with respect to claim 2 and including the following:

Schafer teaches a work space history saving device that saves the detected activity event for each work space of the activity event (e.g., Figs. 2, 3a, 3b and pages 193, 194; wherein the 3D space is created dynamically and adapts existing spaces to the actual usage and work behavior of the users that populate these spaces).

As to claim 12, Schafer teaches wherein the activity event display means displays an activity event by displaying objects arranged in a positional relation based on the degree of relation between the objects (e.g., Figs. 3a, 3b and pages 193, 194).

As to claim 4, Schafer teaches the activity event control means saves the detected activity event (e.g., pages 193, 194, 197) and the activity event display means displays a plurality of the saved activity events in a time series (e.g., pages 193, 194, 197). Schafer teaches objects that conducts the detected activity event together can be retrieved to show past cooperative activities (e.g., Figs. 3a, 3b and pages 193, 194, 197; wherein objects that conduct the detected activity event together can be retrieved using attributes such as performed operation, data/time, event-type); therefore, Schafer inherently teaches the detected activity event can be referred from the other object for each object of the activity event being accompanied by the information of the activity time. If not inherently included, it would have been obvious to one of ordinary skilled in the art, at the time the invention was made, to have implemented this feature because Schafer suggests to the skilled artisan that event data attributes can be easily extended for special application purposes since ENI does not require a special event format or registration of event schema. One would have been motivated to make such an implementation is to be able to display the interaction activities between objects.

As to claim 9, Schafer teaches the limitations of claim 1 for the same reasons as set forth in the foregoing rejection of claim 1. Schafer does not teach outputting a warning to a user when a predetermined state is detected by the detection means. However, it would have been obvious to one of ordinary skilled in the art, at the time the invention was made, to have implemented this feature because Schafer suggests to the skilled artisan that information event is forwarded to an appropriate client when a new event matches an interest user profile (e.g.

page 197 second paragraph). One would have been motivated to make such an implementation is to warn the user of the new event that just happens.

Response to Arguments

9. Applicant's arguments filed on 08/07/2008 have been considered but are moot in new ground of rejection.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00, off on alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TuyetLien T Tran/

Examiner, Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179